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PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

14P25	•		Application Number	er	09/989,728
17 2006 E)T	RANSMITTAL	` • ,	Filing Date		NOVEMBER 20, 2001
	FORM		First Named Inven	tor	LUC DESNOYERS
(to be used t	for all correspondence after i	nitial filing)	Group/Art Unit		1647
			Examiner Name		HAMUD, FOZIA M.
Total Number of F	Pages in This Submission	34	Attorney Docket N	umber	39780-2730 P1C72
······································		ENCLOSU	RES (check all that app	oly)	
Changes Affidavits. Extension of Ti Information Dis Certified Copy Response to M Application Response	ched Response al Vith Markings Showing /declaration(s) me Request sclosure Statement of Priority Document(s) lissing Parts/ Incomplete et to Missing ler 37 CFR 53	Drawing(street Drawin	p-related Papers Routing Slip (PTO/SB/69 Impanying Petition Convert to a Interpolation ED DECLARATION AN OF ATTORNEY (7 SET Disclaimer tity Statement for Refund N TO CHARGE DEPOS	ID S)	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information REQUEST PURSUANT TO 37 C.F.R. §1.48(a), CORRECTION OF INVENTORSHIP IN A PATENT APPLICATION, OTHER THAN A REISSUE APPLICATION ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a); STATEMENT OF OMITTED INVENTOR UNDER 37 C.F.R. §1.48(a)(2); and STAMPED RETURN POSTCARD
		UCNATURE OF AR	IDLICANT ATTORNEY	OR ACEN	T
Firm <i>or</i>	HELLER EHRMAN LLP	IGNATURE OF AP	PLICANT, ATTORNEY		DY (Reg. No. 53,507)
ndividual name	275 Middlefield Road, Me	nlo Park, Californi			
Signature	Laphre Red				
Date	OCTOBER 17, 2006	Q	Customer Numbe	r: 35	489.
<u> </u>	<u> </u>	CERTIFICA	TE OF EXPRESS MAIL	ING	
I hereby certify that t 37 C.F.R. §1.10 on t 1450, on this date: C	he date indicated below and	deposited with the laddressed to: MAII	L STOP, Commissioner	r for Patents	ess Mail Post Office to Addressee" service under s, PO Box 1450, Alexandria, Virginia 22313-
			Express Mail Labe	EV 766	UZ1 61U US
Typed or printed nar	me C. FONG				•
Signature	Co			Date	OCTOBER 17, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (12-04)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEET TOAN	CRAITTAI	Complete if Known			
o' ' 法EE IRAN	FEE TRANSMITTAL		09/989,728		
	2006	Filing Date	NOVEMBER 20, 2001		
OCT 17 2006 (1) 101 F Y	for FY 2006 Efficience 10/01/2003. Patent fees are subject to annual revision.		LUC DESNOYERS		
	·	Examiner Name	HAMUD, FOZIA M.		
Applicant claims small entity statu	s. See 37 CFR 1.27	Art Unit	1647		
TOTAL AMOUNT OF PAYMENT	TOTAL AMOUNT OF PAYMENT (\$) 130.00		39780-2730 P1C72		

METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued)								
METHOD OF	PAYMENT (check all that apply)						E CALCULATION (continued)	
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Deposit Account HELLE	R EHRMAN, LLP (39780-2730 P1C72)	14	052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name Lauthoriz	zed to: (check all that apply)	10	053	130	1053	130	Non-English specification	
Charge fee(s) indicate	· · · · · · · · · · · · · · · · · · ·	its 18	812 2	2,520	1812	2,520	For filing a request for ex parte reexamination	
I	il fee(s) or any underpayment of fee(s)	18	804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
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to the above-identified de	eposit account.			400	0054	-00	Examiner action	
FE	E CALCULATION		251		2251	60 225	Extension for reply within first month Extension for reply within second month	
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1002 200 2002 10	0 Design filing fee		401	500	2401	250	Notice of Appeal	
1003 200 2003 10	0 Plant filing fee		402		2402	250	Filing a brief in support of an appeal	
1004 300 2004 150	0 Reissue filing fee	— I		1,000	2403	500	Request for oral hearing	<u> </u>
1005 200 2005 100	0 Provisional filing fee	= '	451 1		1451	1,510	Petition to institute a public use proceeding	
1	SUBTOTAL (1) (\$)	1 1	452		2452	250	Petition to revive - unavoidable	
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Total Claims	Extra Claims below Fee F		502	800	2502	400	Design issue fee	
Independent	-20 -		503 1		2503	550	Plant issue fee	130.00
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1202 50 2202 1201 200 2201	25 Claims in excess of 20 100 Independent claims in excess of 3		809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 360 2203	180 Multiple dependent claim, if not p	aid 18	810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1204 200 2204	100 ** Reissue independent claims over original patent	18	801	790	2801	395	Request for Continued Examination (RCE)	
1205 50 2205	25 ** Reissue claims in excess of 20 and over original patent	18	802	900	1802	900	Request for expedited examination of a design application	
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**or number previous!	SUBTOTAL (2) (\$)	╌╢╌	Reduc	æd by	Basic	Filing F	ee Paid SUBTOTAL (3) (\$) 1	130.00

(Complete (if applicable)) SUBMITTED BY Registration No. Name (Print/Type) 53,507 Telephone (650) 324-7000 **DAPHNE REDDY OCTOBER 17, 2006** Reddy Date Signature

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Hamud, Fozia M.
Luc DESNOYERS, et al.) Art Unit: 1647
Application Serial No. 09/989,728) Confirmation No: 2424
Filed: November 20, 2001) Attorney's Docket No. 39780-2730 P1C7
For: NUCLEIC ACIDS TO PRO1387 POLYPEPTIDES	Customer No. 35489

REQUEST PURSUANT TO 37 C.F.R. § 1.48(a), CORRECTION OF INVENTORSHIP IN A PATENT APPLICATION, OTHER THAN A REISSUE APPLICATION

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

This Request seeks to add Ellen Filvaroff as a joint inventor in the above-identified application. Ms. Filvaroff was inadvertently and without deceptive intent not included as a joint inventor in the above-identified application. Enclosed are the following documents in support of this Request:

- (a) a statement signed by Ms. Filvaroff indicating that the error in inventorship in the above-referenced application occurred without deceptive intent on her part;
- (b) a declaration by the actual inventors under 37 C.F.R. § 1.63;
- (c) the fee set forth in 37 C.F.R. § 1.17(i) (\$130.00); and
- (d) a written consent of Genentech, Inc., assignee of the entire title, right and interest in the above-captioned application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. <u>08-1641 (Attorney's Docket No. 39780-2730 P1C72)</u>. Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: 10 17 06

Daphne Reddy (Reg. No. 53,507)

HELLER EHRMAN LLP

275 Middlefield Road Menlo Park, California 94025-3506

Telephone: (650) 324-7000 Facsimile: (650) 324-0638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	In re application of:)	Examiner: Hamud, Fozia M.
010	Luc DESNOYERS, et al.)	Art Unit: 1647
OCT 1-7 2006 PD	Application Serial No. 09/989,728)	Confirmation No: 2424
A CONTRACTOR OF THE CONTRACTOR	Filed: November 20, 2001)	Attorney's Docket No. 39780-2730 P1C72
MAHI	For: NUCLEIC ACIDS TO PRO1387 POLYPEPTIDES)	Customer No. 35489

CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir,

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The assignment is recorded at Reel 012176 and Frame 0450. This assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

The undersigned hereby states that Assignee agrees to the correction of the inventorship of the above-identified patent application to include Ellen Filvaroff as a joint inventor.

Date:

By:

Mark T. Kresnak

Associate General Counsel Patent Law

Genentech, Inc.

1 DNA Way South San Francisco, California 94080

Docket No. 39780-2730 P1C72

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,



I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NUCLEIC ACIDS TO PRO1387 POLYPEPTIDES

the specification of which (check one) is attached hereto or was filed on November 20, 2001 as Application Serial No. 09/989,728 and was amended on November 20, 2001, September 3, 2002, January 7, 2005 and January 25, 2005.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority

Claimed

Yes No

Number

Country

Day/Month/Year Filed

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below:

Application Ser. No.

60/097,986

Filing Date:

Aug. 26, 1998

Application Ser. No.	09/941,992	Filing Date	Aug. 28-2001
Application Ser. No.	PCT/US00/08439	Filing Date	Mar. 30-2000
Application Ser. No.	PCT/US00/05841	Filing Date	Mar. 2, 2000
Application Ser. No.	PCT/US99/28313	Filing Date	Nov. 30, 1999
Application Ser. No.	. 09/380,137	Filing Date	Aug. 25, 1999
Application Ser. No.	PCT/US99/12252	Filing Date	Jun. 2, 1999

25213/09157

Send correspondence to:

GINGER R. DREGER, ESQ.

Heller Ehrman, LLP 275 Middlefield Road Menlo Park, CA 94025

Telephone: (650) 324-7000 Facsimile: (650) 324-0638

I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

attorney or agent and the undersigned. In the event of a change is attorney or agent named herein will be so notified by the undersigned.		
Full name of sole or first inventor: LUC DESNOYERS		
Inventor's signature	09/14/200 6 Date	
inverseor 3 signature	Juce	
Residence: 2050 Stockton Street, San Francisco, CA 94133		
Citizenship: CA		
Post Office Address 1 DNA Way South San Francisco, CA 94080		
Full name of second joint inventor, if any: ELLEN FILVAROFF		
Inventor's signature	Date	
Residence: 538 18 th Avenue, San Francisco, CA 94121		
Citizenship: US		
Post Office Address 1 DNA Way		
South San Francisco, CA 94080		

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Full name of third joint inventor, if any: AUDREY GODDARD		•
· dictionic of clind joine inventor, it any. Neuritain	•	
Inventor's signature	Date	
	·	
Residence: 110 Congo Street, San Francisco, CA 94131		
Citizenship: CA		
Post Office Address		
1 DNA Way		
South San Francisco, CA 94080		
Full name of fourth joint inventor, if any: PAUL J. GODOWSKI		
Inventor's signature	Date	·
Residence: 25 Orange Court, Hillsborough, CA 94010		
Citizenship: US		
Post Office Address		
1 DNA Way		
South San Francisco, CA 94080		·
Full name of fifth joint inventor, if any: AUSTIN GURNEY		
Inventor's signature	 Date	
invented 5 Signature		
Residence: 946 Diamond Street, San Francisco, CA 94114		
Citizenship: US		
Port Office Address		
Post Office Address 946 Diamond Street		
San Francisco, CA 94114		

.

Inventor's signature	Date	
Residence: 35 Southdown Court, Hillsborough, CA 940	010	
Citizenship: US		·
Post Office Address 1 DNA Way		
South San Francisco, CA 94080	•	
South San Francisco, CA 94080	E	
South San Francisco, CA 94080 Full name of sole or first inventor: COLIN K. WATANAB	E Date	
Full name of sole or first inventor: COLIN K. WATANAB Inventor's signature		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OIPE	In re application of:)	Examiner: Hamud, Fozia M.
1402	Luc DESNOYERS, et al.)	Art Unit: 1647
OCT 1.7 2006	Application Serial No. 09/989,728)	Confirmation No: 2424
TRADEMARK OF	Filed: November 20, 2001)	Attorney's Docket No. 39780-2730 P1C72
	For: NUCLEIC ACIDS TO PRO1387 POLYPEPTIDES)	Customer No. 35489

STATEMENT OF OMITTED INVENTOR UNDER 37 C.F.R. § 1.48(a)(2)

Commissioner for Patents P. O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

I, Ellen Filvaroff, hereby state that I was omitted as an inventor in the above application. I further state that this omission is due to an error which occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 9 [18] D6

Ellen Filvarof

Docket No. 39780-2730 P1C72

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,



I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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No

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25213/09157

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Heller Ehrman, LLP 275 Middlefield Road Menlo Park, CA 94025

Telephone: (650) 324-7000 Facsimile: (650) 324-0638

I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

· · · · · · · · · · · · · · · · · · ·			
Full name of sole or first inventor: LUC DESNOYERS			
			•
Inventor's signature	Date		
Residence: 2050 Stockton Street, San Francisco, CA 94133			
Citizenship: CA			
Post Office Address 1 DNA Way South San Francisco, CA 94080			
Full name of second joint inventor, if any: ELLEN FILVAROFF			
Inventor's signature	Date	-	
Residence: 538 18 th Avenue, San Francisco, CA 94121	·		
Citizenship: US			
Post Office Address 1 DNA Way South San Francisco, CA 94080			

Full name of third joint inventor, if any: AUDREY GODDARD		
Inventor's signature	Date	
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Citizenship: CA		
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Inventor's signature	Date	· ·
Residence: 946 Diamond Street, San Francisco, CA 94114		
Citizenship: US		
Post Office Address 946 Diamond Street San Francisco, CA 94114		

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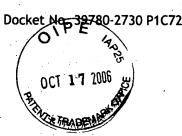
Inventor's signature		Date	<u> </u>
Residence: 35 Southdown Court, Hillsboroug	gh, CA 94010		. •
Citizenship: US			
Post Office Address 1 DNA Way South San Francisco, CA 94080		•	
Full name of sole or first inventor: COLIN K. V	WATANABE		
Full name of sole or first inventor: COLIN K. V	WATANABE	Date	
		Date	
Inventor's signature		Date	
Inventor's signature Residence: 128 Corliss Drive, Moraga, CA 94		Date	

-2-

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

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Full name of sole or first inventor: LUC DESNOYERS		
	•	
Inventor's signature	Date	
Residence: 2050 Stockton Street, San Francisco, CA 94133		
Citizenship: CA		·
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Inventor's signature	Date	
Residence: 538 18 th Avenue, San Francisco, CA 94121		
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Post Office Address 1 DNA Way South San Francisco, CA 94080		

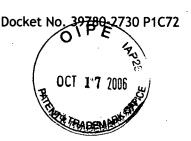
Full name of third joint inventor, if any: AUDREY GODDARD		
O'LodSaid		9/27/06
Inventor's signature	Date	
Residence: 1-10 Congo Street, San Francisco, CA 94131 72 Merced Ave. San Francisco CA	94127	
Citizenship: CA		
Post Office Address 1 DNA Way South San Francisco, CA 94080		
Full name of fourth joint inventor, if any: PAUL J. GODOWSKI		
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Inventor's signature Residence: 35 Southdown Court, Hillsborough, CA 94010 Citizenship: US Post Office Address 1 DNA Way South San Francisco, CA 94080 Full name of sole or first inventor: COLIN K. WATANABE Inventor's signature Date Residence: 128 Cortiss Drive, Moraga, CA 94556 Citizenship: US Post Office Address 1 DNA Way South San Francisco, CA 94080	Full name of sixth joint inventor, if any: WILLIAM I. WOOD					·
Citizenship: US Post Office Address 1 DNA Way South San Francisco, CA 94080 Full name of sole or first inventor: COLIN K. WATANABE Inventor's signature Date Residence: 128 Corliss Drive, Moraga, CA 94556 Citizenship: US Post Office Address 1 DNA Way	Inventor's signature	Date	e	<u></u>		
Post Office Address 1 DNA Way South San Francisco, CA 94080 Full name of sole or first inventor: COLIN K. WATANABE Inventor's signature Residence: 128 Corliss Drive, Moraga, CA 94556 Citizenship: US Post Office Address 1 DNA Way	Residence: 35 Southdown Court, Hillsborough, CA 94010					
1 DNA Way South San Francisco, CA 94080 Full name of sole or first inventor: COLIN K. WATANABE Inventor's signature Residence: 128 Corliss Drive, Moraga, CA 94556 Citizenship: US Post Office Address 1 DNA Way	Citizenship: US					
Full name of sole or first inventor: COLIN K. WATANABE Inventor's signature Date Residence: 128 Corliss Drive, Moraga, CA 94556 Citizenship: US Post Office Address 1 DNA Way	1 DNA Way					
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Residence: 128 Corliss Drive, Moraga, CA 94556 Citizenship: US Post Office Address 1 DNA Way	Full name of sole or first inventor: COLIN K. WATANABE					
Citizenship: US Post Office Address 1 DNA Way	Inventor's signature	Date	e			
Post Office Address 1 DNA Way	Residence: 128 Corliss Drive, Moraga, CA 94556					
1 DNA Way	Citizenship: US		*	. •		
	1 DNA Way					
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COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

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NUCLEIC ACIDS TO PRO1387 POLYPEPTIDES

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Claimed

<u>Priority</u>

Yes No

Number

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25213/09157

Send correspondence to:

GINGER R. DREGER, ESQ.

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Telephone: (650) 324-7000 Facsimile: (650) 324-0638

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Full name of sole or first inventor: LUC DESNOYERS			
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Inventor's signature	Date		
Residence: 2050 Stockton Street, San Francisco, CA 94133			
Citizenship: CA			
Post Office Address 1 DNA Way South San Francisco, CA 94080			
Full name of second joint inventor, if any: ELLEN FILVAROFF			
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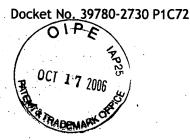
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Full name of third joint inventor, if any: AUDREY GODDARD		
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Inventor's signature	Date	
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1 DNA Way		
South San Francisco, CA 94080	·	
Full name of fourth joint inventor, if any: PAUL J. GODOWSKI		
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Residence. 25 Grange court, Intersecting extraction	•	
Citizenship: US		
Post Office Address		
1 DNA Way South San Francisco, CA 94080		
South San Francisco, CA 74000		
Full name of fifth joint inventor, if any: AUSTIN GURNEY		
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	•	
Inventor's signature	Date	
Residence: 946 Diamond Street, San Francisco, CA 94114		
Residence. 940 Diamond Street, San Francisco, CA 94114		
Citizenship: US		
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	•	
Post Office Address '		
946 Diamond Street		
San Francisco, CA 94114		

Full name of sixth joint inventor, if any: WILLIAM I. WOOD	
In contact of a decay to the contact of the contact	 Date
Inventor's signature	Date.
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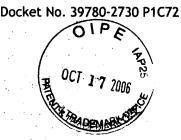
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Citizenship: US			• • • • • • • • • • • • • • • • • • •		
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1 DNA Way					·
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1 DNA Way South San Francisco, CA 94080	ABE	Date			
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Docket No. 39780-2730 P1C72

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	-							
Full name of sole or first inventor: C	OLIN K. WATAN	ABE						
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